

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MARCH 12, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Jim Shaw, Commissioner
Ted Short, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-226 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the agenda for the March 12, 2002, meeting be approved with the following amendments: Items 8H, budget appropriation reductions, and 8O2, initiating resolution for Special Assessment District No. 29 (Mt. Rose Sewer, Phase I), are being removed from the consent agenda for discussion. Items 13, award of bid #2328-02 for four new 63,000# GVWR transfer trucks, 15, establishment of three new positions in Senior Services, 16, new positions for the District Attorney's office for the child welfare integration with the State, and 18, changes in foster care rate structure, are being added to the consent agenda.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his views concerning the budget shortfalls being experienced by the local governmental entities stating that he wants to see the Truckee Meadows High School stay in existence and criticized the Reno-Sparks Convention and Visitor's Authority plans.

Gary Schmidt, Washoe County resident, discussed the County's policies concerning obtaining copies of public records and the charges assessed for same.

MANAGER'S/COMMISSIONERS' COMMENTS

Chairman Sferrazza stated it is his great pleasure to report that County Manager Katy Singlaub has been awarded the 2002 Nevada Women's Role Model Award. The Board congratulated Ms. Singlaub. Ms. Singlaub thanked Chairman Sferrazza for nominating her.

Chairman Sferrazza stated he would like the County to submit a bid to host the National Association of Counties' (NACO) Western Interstate Region Conference in either 2003, 2004 or 2005. He further advised that while he and Commissioner Bond were attending the NACO conference, they had an opportunity to meet with Nevada's Congressional delegation and received a favorable response concerning Washoe County's package for providing sewer and water remediation for the Spanish Springs area and the Lawton-Verdi Intercept project.

Commissioner Galloway stated he has been having open meetings on the second Monday of each month at the Roy Gomm Elementary School where anyone can come in and talk to him, and he is going to discontinue those meetings due to an insufficient number of people participating. He asked that staff update the information on the website and for telephone callers.

02-227 AWARD OF APPRECIATION - STEPHANIE MORELAN - PARKS DEPARTMENT

Gary Schiff, Carson District Ranger, United States Forest Service, presented an Award of Appreciation to Stephanie Morelan, Parks and Recreation Department, for her efforts in the development of trailheads at Whites and Thomas Creek Canyons. He complimented Ms. Morelan for her leadership, persistence, and professionalism and stated the County is lucky to have her working for them.

Ms. Morelan accepted the award stating there was a great team working on these projects.

02-228 PROCLAMATION - WEST POINT APPRECIATION WEEK

Chairman Sferrazza introduced several West Point graduates and invited them to come down to the front of the auditorium. He then read the following proclamation and presented copies of it to the graduates:

PROCLAMATION

WHEREAS, The United States Military Academy at West Point was established by an Act of Congress on March 16, 1802; and

WHEREAS, West Point was the first engineering school of higher education in the United States and provided the engineers who developed the canals and har-

bors that helped the development and expansion of the United States. For example, graduate George Washington Goethals was the architect and builder of the Panama Canal; and

WHEREAS, West Point has provided graduates who led the exploration of the West and development of the early railroads; and

WHEREAS, West Point has provided graduates who have been the senior military leaders in all of the wars of the United States since the Civil War. Generals Grant, Lee, Meade, Sedgwick, Thomas, Sherman and Jackson in the Civil War; General Pershing and 34 of the 38 Corps and Division Commanders in the First World War; Generals MacArthur, Eisenhower, Arnold, Patton, Bradley, Clark, Stilwell Wainwright and Taylor in the Second World War; Generals Westmoreland and Abrahams in Vietnam; General Schwarzkopf in Desert Storm and General Clark in Kosovo; and

WHEREAS, West Point has provided leaders in education such as Horace Webster - Founder of Hobart College and Founder and President of City College of New York, Benjamin S. Ewell - President of the College of William and Mary, and Oliver O. Howard - Founder and President of Howard University; and

WHEREAS, West Point contributed astronauts Frank Borman, Michael Collins, Ed White, Jr. and Buzz Aldrin; now, therefore, be it

PROCLAIMED, That the Board of Washoe County Commissioners hereby declares the week of March 10-16, 2002 as West Point Appreciation Week and March 16, 2002 as West Point Day. The Board further recognizes West Point as having provided 200 years of timeless leadership through individuals committed to the ideals of Duty, Honor and Country; and be it further

PROCLAIMED, That the Board encourages all Washoe County residents to join in celebrating the Bicentennial of the United States Military Academy at West Point.

02-229 RESOLUTION - PAUL MORGAN

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution honoring Paul Morgan for his public service, which was read by Commissioner Galloway and presented to Mrs. Morgan, be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION

WHEREAS, The Washoe County community recently suffered the loss of former Tahoe Regional Planning Agency Commissioner Paul Morgan; and

WHEREAS, Paul dedicated much of his professional career to environmental preservation, and volunteered numerous hours to protecting the environment and natural habitat of Lake Tahoe; and

WHEREAS, Paul's community service includes many years as a TRPA Advisory Planning Commissioner and member of the Governing Board; and

WHEREAS, Paul was an active participant and proud member of the TRPA, who believed planning was an important tool for helping people; and

WHEREAS, As a member of the Bear Protection League, Paul increased public awareness about the importance of co-habitation with nature, and assisted Tahoe area residents and businesses with "bearproofing" techniques; and

WHEREAS, Paul's concern for people and love for the environment also benefited communities as far away as the Republic of Yugoslavia where he helped with repairing war damage; and

WHEREAS, Paul's professional career included work in the fields of water pollution abatement, nuclear energy projects and mining reclamation ventures; and

WHEREAS, Paul will be missed by many because of his commitment to improving the lives of Washoe County residents through planning and environmental protection and to preserving Lake Tahoe as a natural treasure for all to enjoy; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners, on behalf of all the citizens of Washoe County, honor the memory of Paul Morgan and his lasting contribution to our community and we offer our condolences to friends and family.

02-230 PROCLAMATION - SUPPLY MANAGEMENT MONTH - MARCH 2002

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following proclamation be adopted and Chairman Sferrazza be authorized to execute:

PROCLAMATION

WHEREAS: The purchasing and supply management profession has a strategic role in quality, efficiency and profitability of business and government throughout the United States of America and internationally; and

WHEREAS: The purchasing and supply management profession works for public and private, nonprofit and for-profit organizations; and

WHEREAS: In addition to the purchasing of goods and services, the purchasing and supply management profession engages in, or has direct responsibility for executing, implementing and administering contracts; developing projections and forecasts; developing and implementing procurement strategies; supervising and/or monitoring the flow, storage, staging and use of materials; and

WHEREAS: The purchasing and supply management operation must develop and maintain good working relationships with suppliers and with other departments and divisions within the organization; and

WHEREAS: The purchasing and supply management profession has tremendous influence on the economic conditions in the United States of America and internationally, with an accumulative purchasing power in the multi-billions of dollars; and

WHEREAS: The Purchasing Department of Washoe County has consistently guarded the public trust, engendered confidence in the supplier community, been nationally recognized for "Achievement of Excellence in Procurement" as well as "Environmentally Friendly" purchasing by the U.S. E.P.A. Waste Wise Program and saved the County millions of dollars over the years; and

WHEREAS: The National Association of Purchasing Management of Northern Nevada, the National Purchasing Institute and the National Institute of Government Purchasing, in all of which Washoe County is a member, as well as other associations throughout the United States of America and around the world are holding activities and special events to further educate and inform the public about the role of purchasing and supply management within government, business and industry; now, therefore, be it

PROCLAIMED by the Washoe County Board of Commissioners, that March, 2002 is designated as "**Supply Management Month**" and that the Board encourages all citizens of Washoe County to join them in commemorating this observance.

02-231 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Gallo-way, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care and follow-up medical or psychological treatment for 36 sexual assault victims in an amount totaling \$6,411.90 as set forth in a memorandum from Lidia Osmetti, Office Manager, District Attorney's Office, dated February 25, 2002 and placed on file with the Clerk.

02-232

**RESOLUTION - SUPPORTING BLM PURCHASE - WARM
SPRINGS VALLEY - PARKS DEPARTMENT**

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sferazza be authorized to execute:

RESOLUTION

WHEREAS, The Southern Nevada Public Land Management Act of 1998 provides, from proceeds derived from the orderly disposal of certain Federal lands in Clark County, Nevada, acquisition opportunities by the Bureau of Land Management (BLM) for environmentally sensitive lands throughout the State of Nevada; and

WHEREAS, Bob Marshall, the owner of 80 acres of property and 25 acre-feet of groundwater rights, is a willing seller and has agreed to work with the BLM, a willing buyer, on the details of a sale to the BLM of the property. The value of the land and water rights is estimated at \$400,000; and

WHEREAS, The property contains unique environmental characteristics, which would provide high quality habitat for the Carson Wandering Skipper, which was recently granted emergency Endangered Species Act protection; and

WHEREAS, Integrating the property with adjacent BLM lands will provide a large contiguous swath of Wandering Skipper habitat, much of which will be managed as an Area of Critical Environmental Concern (ACEC), which will provide a heightened level of environmental protection for the property; and

WHEREAS, The Washoe County Commission remains committed to the implementation of the Washoe County Regional Open Space Plan adopted by Washoe County, the City of Reno, and the City of Sparks in 1994 and to the concept of prudent environmental protection; now, therefore, be it

RESOLVED that the Washoe County Board of Commissioners strongly supports Bureau of Land Management acquisition of the above-referenced 80 acres of Carson Wandering Skipper habitat and the associated 25 acre-feet of groundwater rights through the Southern Nevada Public Land Management Act program.

02-233

**RESOLUTION - ADOPTING AMENDED STEAMBOAT SPECIFIC
PLAN - COMMUNITY DEVELOPMENT**

Upon recommendation of Bill Whitney, Senior Planner, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sferazza be authorized to execute:

**ADOPTING THE AMENDED STEAMBOAT SPECIFIC PLAN,
A PART OF THE SOUTHWEST TRUCKEE MEADOWS AREA PLAN,
WASHOE COUNTY COMPREHENSIVE PLAN (CP01-011)**

WHEREAS, Section 278.150 and 278.210, Nevada Revised Statutes, specifies that the Washoe County Planning Commission may prepare, adopt and amend a master (comprehensive) plan for all or any part of the County, subject to County Commission approval;

WHEREAS, The Washoe County Planning Commission has found that the STEAMBOAT SPECIFIC PLAN, A Part of the Southwest Truckee Meadows Area Plan, Washoe County Comprehensive Plan, provides a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Comprehensive Plan;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was held on May 21, 1991, with the most recent amendment to the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, including the amended STEAMBOAT SPECIFIC PLAN, being held on January 8, 2002, by the Board of County Commissioners of Washoe County, Nevada;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners endorsed the amended STEAMBOAT SPECIFIC PLAN, A Part of the Southwest Truckee Meadows Area Plan, Washoe County Comprehensive Plan, pursuant to Section 278.0282, Nevada Revised Statutes, for conformance review with the Truckee Meadows Regional Plan;

WHEREAS, A public hearing for the review of conformance of the Washoe County Comprehensive Plan, including the SOUTHWEST TRUCKEE MEADOWS AREA PLAN, was first held on October 23, 1991, with the most recent amendment to the STEAMBOAT SPECIFIC PLAN being held on February 27, 2002, by the Truckee Meadows Regional Planning Commission, at which time the plan was deemed in conformance with the Truckee Meadows Regional Plan;

WHEREAS, The amended STEAMBOAT SPECIFIC PLAN, A Part of the Southwest Truckee Meadows Area Plan, Washoe County Comprehensive Plan, which is in conformance with the Truckee Meadows Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article

820, Amendment of Comprehensive Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt and endorse the amended STEAMBOAT SPECIFIC PLAN, A Part of the Southwest Truckee Meadows Area Plan, Washoe County Comprehensive Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

02-234 APPOINTMENT - ELECTION TABULATION ANALYSIS AND REVIEW COMMITTEE - REGISTRAR OF VOTERS

Upon recommendation of Dan Burk, Registrar of Voters, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following individuals be appointed to serve on the Election Tabulation Analysis and Review Committee:

Estelle Levario Gutierrez	Scott W. Youngs
Marsha Berkbigler	Rick Bareuther
Jean Stoess	Lois Avery

02-235 APPOINTMENT - COLD SPRINGS CITIZEN ADVISORY BOARD

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Larry Beaman be appointed as an at-large alternate to the Cold Springs Citizen Advisory Board with a term expiring June 30, 2003.

02-236 RESIGNATION - APPOINTMENT - SUN VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the resignation of Juneil Mathis as an at-large representative on the Sun Valley Citizen Advisory Board be accepted and that John Eaton be appointed to fill the vacancy with a term to expire June 30, 2003.

02-237 ACCEPTANCE OF DONATION - HOT AUGUST NIGHTS ORGANIZATION - SHERIFF'S OFFICE HONOR GUARD

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a donation totaling \$5,000 by the Hot August Nights Organization and designated to pay travel costs for members of the Sheriff's Office Honor Guard to attend the National Law Enforcement Memorial week in Washington, D.C. during the month of May 2002, be accepted with the Board's gratitude.

02-238

ACCEPTANCE OF DONATION - NORTHERN NEVADA DUI TASK FORCE - SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a donation of \$2,000 from the Northern Nevada DUI Task Force to pay for a standalone computer to be used by the Sheriff's Office Major Accident Investigation Team for accident investigations be accepted with the Board's gratitude.

It was further ordered that the following budget adjustments be approved:

INCREASE REVENUES	
15236D-5802	\$2,000.00
INCREASE EXPENDITURES	
15236D-72051	\$2,000.00

02-239

ACCEPTANCE OF GRANT - NEVADA STATE JUVENILE JUSTICE COMMISSION - SHERIFF

Upon recommendation of Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that a total of \$45,000 in grant monies from the Nevada State Juvenile Justice Commission, to be utilized for the 2002 Silver State Academy (formerly known as Project Walkabout) program be accepted. It was noted the funds will be used by Friends of Project Walkabout to pay for salaries of staff needed during the nine-week program beginning June 13, 2002 through August 17, 2002.

It was further ordered that the following budget adjustments be approved:

INCREASE REVENUES	
15243G02/4301	\$45,000.00
INCREASE EXPENDITURES	
15243G02/727999	\$45,000.00

02-240

GOLDEN AGE DISCOUNT - WASHOE AND SIERRA SAGE GOLF COURSES - PARKS DEPARTMENT

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Office, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following Golden Age discounts for ticketed play at Washoe and Sierra Sage Golf Courses be established:

	2002	2003
50 Play	\$300.00 - \$6.00 per round	\$321.00 - \$6.24 per round
25 Play	\$175.00 - \$7.00 per round	\$187.25 - \$7.49 per round
10 Play	\$ 80.00 - \$8.00 per round	\$ 85.60 - \$8.56 per round

02-241 **INTERLOCAL AGREEMENT - CITY OF RENO - ELECTIONS**

Upon recommendation of Dan Burk, Registrar of Voters, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that an Interlocal Agreement between Washoe County and the City of Reno, concerning memorializing the current practice of conducting elections for the City of Reno and specifying the parties' responsibilities and obligations be approved and Chairman Sferrazza be authorized to execute on behalf of Washoe County.

02-242 **JOINT MAINTENANCE AGREEMENT - NELL J. REDFIELD TRUST, UNR, ST. MARY'S, MT. ROSE 8 LLC - PUBLIC WORKS**

Upon recommendation of Kimble Corbridge, Engineering, through Dave Roundtree, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the Joint Maintenance Agreement between Washoe County, Helen Jeane Jones, Kenneth G. Walker and Gerald C. Smith, The Nell J. Redfield Trust, Board of Regents of the University and Community College System of Nevada on behalf of the University of Nevada Reno, Saint Mary's Health Network and Mt. Rose 8, LLC, concerning maintenance by property owners of a box culvert near Wedge Parkway, be approved and Chairman Sferrazza be authorized to execute on behalf of Washoe County.

02-243 **REQUEST FOR CASEY RANCH AGREEMENT EXTENSION - COMMUNITY DEVELOPMENT**

Upon recommendation of Sharon Kvas, Planning Manager, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the Board requests that Mr. Randy Lane of Falcon Capital LLC, current owner of the property known as the Casey Ranch property in Washoe Valley, agree to an additional one-year extension, to June 1, 2003, of the June 8, 1999 agreement to postpone the completion and processing of a tentative map (TM10-19-97, Ophir Lakes) submitted in June of 1997 under the transition process. It was further ordered that the agreement extension be approved based on the finding that an extension will provide a significant public benefit if the extensions ultimately facilitate the acquisition of all or portions of the Casey Ranch as open space.

02-244 **BUDGET AMENDMENT - FY 2001/02 - AIR QUALITY MANAGEMENT - ENVIRONMENTAL PROTECTION AGENCY CARRYOVER PROGRAM - HEALTH**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that an amendment to the District Health Department Fiscal Year 2001/02 Air Quality Management's Environmental Protection Agency Carryover Program budget be approved and the following account transactions be authorized:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
002-1700-1723G10-4301	Revenue	\$73,327
002-1700-1723G10-7140	Other Professional Services	\$73,327
	Total Expenses	\$73,327

02-245 BUDGET AMENDMENT - FY 2001/02 - SAFE DRINKING WATER PROGRAM - HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that an amendment to the District Health Department Fiscal Year 2001/02 Environmental Health Services Safe Drinking Water DWSRF (Drinking Water State Revolving Fund) Program budget be approved and the following account transactions be authorized:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
002-1700-1722G2-4301	Federal Funds	\$20,000
002-1700-1722G2-7140	Other Professional Services	\$ 6,000
-7364	Registration	1,000
-7620	Travel	1,000
-7825	Misc. Special Equipment	12,000
	Total Expenditures	\$20,000

02-246 BUDGET AMENDMENT - FY 2001/02 - TUBERCULOSIS PROGRAM - HEALTH

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that an amendment to the District Health Department Fiscal Year 2001/02 Tuberculosis CDC (Centers for Disease Control) Program budget be approved and the following account transactions be authorized:

ACCOUNT NUMBER	DESCRIPTION	AMOUNT OF INCREASE
002-1700-1714G3-4301	Revenue	\$2,376
002-1700-1714G3-7001	Base Salaries	\$1,976
-7048	Retirement	371
-7050	Medicare	29
	Total Expenses	\$2,376

02-247 **AMENDMENT TO PURCHASE ORDER 198745 - AMERICAN LUNG ASSOCIATION - ASTHMA COALITION PROJECT - DISTRICT HEALTH DEPARTMENT**

Upon recommendation of Barbara Hunt, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the amendment to Purchase Order 198745 in the amount of \$24,900 to increase that amount by an additional \$13,000, bringing the total to \$37,900, to support the American Lung Association's Asthma Coalition project, be approved.

02-248 **AWARD OF BID - INMATE UNIFORM CLOTHING - BID NO. 2306-02 - SHERIFF'S OFFICE & WITTENBERG HALL**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on September 19, 2001, for inmate uniform clothing for the Sheriff's Office and Wittenberg Hall. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Bob Barker Co., Inc.
ICS
Robinson Textiles, Inc.
Uniforms Mfg. Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2306-02 for inmate uniform clothing for the Sheriff's Office and Wittenberg Hall be awarded to the overall lowest responsive, responsible bidder meeting bid specifications, Robinson Textiles. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two-year requirements agreement with the specified vendor for inmate uniform clothing with a 2-year renewal option, provided vendor meets all pricing requirements agreed to in their original bid.

It was noted the estimated value of this award for a two-year period is \$40,000.00; however, no specific dollar value will be assigned to any award resultant from this Invitation to Bid as items will be purchased on a requirements basis only.

02-249 **AWARD OF BID - MEDICAL SUPPLIES - BID NO. 2318-02 - HEALTH DEPARTMENT**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 12, 2001,

for medical supplies for the Washoe County District Health Department and participating joinder agencies. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- Culture Kits, Inc.
- (2) McKesson General Med Corp
- Micro Bio-Medics Inc.
- Moore Medical Corp
- Physicians Sales & Services

The bids received from American LaFrance Medic Master, Handy Care, Offshore Medical and School Health Corp. were disqualified as the vendors cannot meet Washoe County's delivery requirements.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2318-02 for medical supplies for the Washoe County District Health Department and participating joinder agencies be awarded the lowest responsive and responsible bidders meeting specifications, terms and conditions as follows:

BIDDER	BID ITEMS
Culture Kits Inc.	#14 & 15, blood collection needles
McKesson General Medical Corp. (2)	#9, 14" table paper; 16, allergy trays; 17, needles; 20, alcohol, isopropyl; 22, speculum; 23, 32, 33, 34, 35, 36 & 37
Micro Bio-Medics	#1 bandages, spots; 2, bandages, strips; 4, clean catch collection cups; 10, under pads; 12, 13, 18, 19, 27 & 29
Moore Medical Corp	#6, paper gowns, 21, Sharpes-A-Gator 5 qt; & 24, sponge gauze
Physicians Sales & Service	#5, drape sheets; 7, 18" table paper; 8, 21" table paper; 11, microscope covers; 25, sponge gauze; 26, 28, 20 & 31

It was further ordered that Bid Item #3, cotton tipped applicators, be rejected as the products offered were not satisfactory.

It was noted that this is a requirements contract with an estimated annual value of \$98,000.00; and that prices as stated in Washoe County Bid # 2318-02 for medical supplies shall be honored and adhered to for one year, with the County retaining an option to renew the award for three additional years at one-year intervals through April 1, 2006, provided pricing does not increase beyond that allowed by the bid.

02-250

AWARD OF BID - PAVEMENT MARKING MACHINE - BID NO. 2319-02 - GENERAL SERVICES DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 26, 2001, for a new pavement marking machine for the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Vogel Traffic Services
Linear Dynamics Inc.
JCL Equipment Company

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2319-02 for a new pavement marking machine for the Equipment Services Division of the General Services Department be awarded to Vogel Traffic Services, Inc., dba EZ-Liner Industries, in the amount of \$45,300.00.

It was further ordered that the County's right to procure additional pavement marking machines from the successful bidder through December 31, 2002, provided there is no increase in bid pricing and with prior approval of the Finance Department, be acknowledged.

It was noted that although a lower bid was received from JCL Equipment Company, they did not provide specifications for the unit offered and indicated in a response to the County's request for additional information that they were not interested in pursuing the bid.

02-251

AWARD OF BID - TENNIS COURT RESURFACING - BID NO. 2326-02 - PARKS DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been advertised through the on-line services of DemandStar.com, for tennis court resurfacing for the Parks and Recreation Department.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Advantage Tennis Courts Company, LLC
Zaino Tennis Courts Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2326-02 for tennis court resurfacing for the Parks and Recreation Department be awarded to the low bidder, Advantage Tennis Courts Company, LLC, in the amount of \$27,796.00.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement for the tennis court resurfacing work with Advantage Tennis Courts Company, LLC.

**02-252 ASSIGNMENT OF WATER RIGHTS - GEORGE G. LINDESMITH
- SLIDE MOUNTAIN CORPORATION - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken:

1. The Affidavit by George G. Lindesmith regarding an assignment of water rights from Permits 25682 and 25724 between Slide Mountain Corporation and Washoe County be approved; and
2. Chairman Sferrazza be authorized to execute the Affidavit in acknowledgement of Washoe County's acceptance of title to these water rights; and
3. The Utility Services Division Manager be directed to record the Affidavit and Assignment of Water Rights with the Washoe County Recorder.

02-253 WATER RIGHTS DEED -NORTH VALLEY HOLDINGS, LLC

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken in support of future development on behalf of Reynen & Bardis Development, LLC, or Cimarron West, LLC, or Cimarron East, LLC, or Eagle Ridge Properties, LLC:

1. The following Water Rights Deed between North Valley Holdings, as Grantor, and Washoe County, as Grantee, for a total of 38.33 acre-feet of surface water, be approved and Chairman Sferrazza be authorized to execute:

 0.88 AF from a portion of Claim 327, changed by Application 68502
 0.88 AF from a portion of Claim 329, changed by Application 68502
 2.20 AF from a portion of Claim 331, changed by Application 68502

19.27 AF from a portion of Claim 609, changed by Application 68502
15.10 AF from a portion of Claim 356, changed by Application 68503

2. The Chairman be authorized to execute the Water Rights Deed.
3. The Utility Services Division Manager be directed to record the Water Rights Deed with the Washoe County Recorder.

**02-254 WATER RIGHTS DEED - WATER SALE AGREEMENT -
TRUCKEE MEADOWS WATER AUTHORITY**

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken in support of the Bridges residence at 805 Cottonwood Road (APN 049-355-11):

1. The Water Rights Deed and corresponding Water Sale Agreement for 0.77 acre feet of surface water rights from a portion of Claim 247, further changed by Application 66215, between the Truckee Meadows Water Authority and Washoe County be approved and Chairman Sferrazza be authorized to execute both documents;
2. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the Washoe County Recorder.

**02-255 WATER RIGHTS DEED - WATER SALE AGREEMENT -
OPERATING ENGINEERS, ET AL**

Upon recommendation of John Collins, Manager, Utility Services Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following actions be taken regarding Operating Engineers and Participating Employers Northern Nevada Training Facility near Wadsworth (APN: 084-281-04):

1. The Water Rights Deed and Water Sale Agreement between Operating Engineers and Participating Employers Pre-apprentice, Apprentice, and Journeyman Affirmative Action Training Fund, as Grantor, and Washoe County, as Grantee, for 1.50 acre-feet of groundwater rights from Permit 67196, be approved and Chairman Sferrazza be authorized to execute both documents;
2. The Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the Washoe County Recorder.

02-256 **SUBORDINATION AGREEMENT - WELLS FARGO BANK -
NEVADA TRI PARTNERS - CDB TREATMENT PLANT POND
SITE LEASE - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, and Paul Orphan, Senior Utility Engineer, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the Subordination Agreement between Washoe County and Wells Fargo Bank and Nevada Tri Partners concerning the CDB Treatment Plant pond site lease and the effluent discharge site lease be approved and Chairman Sferrazza be authorized to execute on behalf of Washoe County.

02-257 **FUNDING APPROVAL - REGIONAL WATER MANAGEMENT
FUND - ECO:LOGIC, LLC - NORTH VALLEYS WATER SUPPLY
OPTIONS**

Upon recommendation of Jim Smitherman, Water Management Planner Coordinator, through Steve Bradhurst, Director, Department of Water Resources, and Jeanne Ruefer, Water Resources Planning Manager, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that funding from the Regional Water Management Fund in the not-to-exceed amount of \$79,500, for a comparison of water supply options for the North Valleys, including Cold Springs Valley, to be performed by ECO:LOGIC, LLC, be approved. It was further ordered that Chairman Sferrazza be authorized to execute the agreement with ECO:LOGIC in the amount of \$72,000. It was noted that \$7,500 will be used to fund Washoe County staff support for the project.

02-258 **CORRECTION OF FACTUAL ERRORS - ASSESSOR**

Upon recommendation of Tom Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Sferrazza be authorized to execute on behalf of the Commission.

Great Basin Internet Service--ID# 2/101-764 [-\$628.22] (2001 Unsecured Roll).
Oddfellows Retirement Manor Inc--ID# 2/160-583 [-\$983.83] (2001 Unsecured Roll).
Marc Winters GBC--ID# 2/174-303 [-\$37.56] (2001 Unsecured Roll).
Harding & Company International--ID# 2/201-450 [-\$15.22] (2001 Unsecured Roll).
Microflex Medical Corporation--ID#2/300-156 [-\$3,381.02] (2001 Unsecured Roll).
Provident Commercial Group--ID# 2/328-021 [-\$17.80] (2001 Unsecured Roll).

Rainbow Rock--ID# 2/460-444 [-\$308.49] (2001 Unsecured Roll).
The Laser & Cataract Center--ID# 2/164-005 [-\$769.58] (2000 Unsecured Roll).
Marc Winters GBC--ID#2/174-303 [-\$41.70] (2000 Unsecured Roll).
McDonalds Corporation--ID# 2/210-130 [-\$1,260.94] (2000 Unsecured Roll).
John Ascuaga's Nugget--Parcel # 032-201-20 [-\$7,826.15] (2001 Secured Roll).

02-259 AWARD OF BID - 63,000# GVWR TRANSFER TRUCKS - BID
NO. 2328-02 - GENERAL SERVICES DEPARTMENT

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on January 18, 2002, for four new 63,000# GVWR Transfer Trucks for the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Sierra Freightliner
Silver State International
Truck Center of Nevada
Worthen Kenworth

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2328-02 for four new 63,000# GVWR Transfer Trucks for the Equipment Services Division of the General Services Department be awarded to Sierra Freightliner, in the total amount of \$643,744.64. It was further ordered that the County reserves the option to procure additional units of this type and configuration from the successful bidder through June 30, 2003 provided pricing does not increase and subject to Finance Department and budget approval.

It was noted that a lower bid was received from Truck Center of Nevada; however, it included an alternative transfer body and several alternative plow and sander combinations; and both their primary and alternate bids required numerous exceptions not in compliance with bid specifications.

02-260 ESTABLISH NEW GRANT FUNDED POSITIONS - SENIOR
SERVICES

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the establishment of two new positions associated with the previously accepted Single Entry Point grant and one new position associated with the previously approved Independent Living Grant be approved. It was further ordered that all three positions be reviewed by the Job Evaluation Committee for classifi-

cation purposes and that the expenditure authority for both of these grants be authorized to the appropriate fiscal year, which is FY 01-02.

02-261 NEW POSITIONS - DISTRICT ATTORNEY'S OFFICE - CHILD WELFARE INTEGRATION

Upon recommendation of Richard Gammick, District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that two new attorney positions and a new lead secretary position (which has been evaluated as such by the job evaluation committee) for the District Attorney's Office in fulfillment of agreements with the State of Nevada regarding child welfare integration be approved.

02-262 FOSTER CARE RATES - SOCIAL SERVICES

Upon recommendation of Mike Capello, Director, Department of Social Services, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following changes in the foster care rate structure be approved effective with the onset of integration of local child welfare services:

- Establish a base foster care rate of \$30 per day per child;
- Establish an emergency foster care rate of \$10 per day per child in addition to the base rate, limiting the duration of emergency shelter care to the first 90 days after a child's placement;
- Raise the special needs rate range from between \$1 and \$5 per day per child to between \$1 and \$10 per day per child;
- Provide for County payment of foster parent liability insurance;
- Payment by County for respite care from foster care duties; and
- Provide for remediation ("wrap") services to enable continuation of a child's placement.

02-263 REDUCTION OF FISCAL YEAR 01-02 BUDGET AUTHORITY - FINANCE

Commissioner Galloway stated staff has really worked hard "tightening the belt" to come up with almost \$1-million in budget cuts, which are necessary due to the economic downturn currently being experienced.

Lisa Gianoli, Budget Manager, advised there will probably be more budget reductions needed, and staff is anticipating a significant shortfall for the 2002/03 fiscal year.

Upon recommendation of Ms. Gianoli on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the schedule of budget appropriation reductions for the fiscal year 2001-2002

budget in the amount of \$911,069, a copy of which was placed on file with the Clerk, be approved; and that the Comptroller be directed to make the necessary account adjustments.

02-264 RESOLUTION - SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE SEWER PHASE I) - WATER RESOURCES

Ben Veach, Summit Engineering, representing Mt. Rose Ski Tahoe, who is the major participant in the proposed special assessment district, stated they are in support of this project. He further advised they are working with staff on some remaining concerns, which include the next phase of the project that will take the sewer all the way to the Mt. Rose property, line capacity, equitable distribution of costs, and extending the bonding to 20 years to help them finance their portion of the project. Mr. Veach reported staff has been very generous with their time and cooperative in working with them. Chairman Sferrazza asked if adoption of the resolution should be postponed until these concerns are worked out. Mr. Veach stated he did not think that would be necessary because staff is currently working on the issues.

Gary Schmidt, Reindeer Lodge, spoke in support of the proposed special assessment district and urged the Board to express its support for Phase II to continue the sewer on up the hill.

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Sferrazza be authorized to execute on behalf of Washoe County:

RESOLUTION NO. 02-264

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT A CERTAIN PROJECT FOR THE ACQUISITION AND IMPROVEMENT OF A SANITARY SEWER PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO, TO BE KNOWN AS WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 29 (MT. ROSE SEWER PHASE 1); SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT; PROVIDING THE MANNER, FORM AND CONTENTS OF A NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe in the State of Nevada, duly adopted and approved has directed the Manager of Utility Services in the Department of Water Resources (the "Engineer") to file with the County Clerk certain preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, all in connection with the acquisition, pursuant to Chapter 271, Nevada Revised Statutes, of a sanitary sewer project as defined in NRS §271.200 and as hereinafter more specifically described (the "Project"); and

WHEREAS, pursuant to such direction and with such modification in the details of the Project as was deemed necessary and as is consistent with the provisions of this resolution, the Engineer has filed with the Clerk of the County, in connection with said improvements, and with the proposed Washoe County, Nevada, Special Assessment District No. 29 (Mt. Rose Sewer Phase I), the following:

(A) Preliminary plans and specifications, with construction drawings, showing a typical section of the contemplated improvements, the type or types of material, and the approximate thickness and wideness;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made on a lump sum, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels" or "Preliminary Assessment Roll") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, the amounts of estimated preliminary assessments, the amount of maximum benefits estimated to be assessed against each tract or parcel of land in the District, the estimate being calculated on a modified area basis (i.e., on an acreage basis modified to treat any parcel or tract that is less than one acre as a one-acre parcel) such that each acre will benefit by capacity of one equivalent residential unit in the Project as hereafter described (an equitable adjustment having been made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, or for any tract or parcel not specially benefitted in proportion to the percentage applicable to that tract or parcel under the assessment method otherwise so used so that assessments according to benefits will be equal and uniform); and

(D) The Engineer's Report to the Board of County Commissioners on Benefits as to the method of determining benefits and explaining the adjustments and the per lot method of assessment; and

WHEREAS, the Board has examined said plans, assessment plat, including the addendum thereto, a typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits and Engineer's Report so filed with said Clerk and has found and does hereby declare the same to be satisfactory in all respects.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA: that the Board shall and hereby does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits and the estimate of maximum benefits to be assessed against each tract or parcel of land in the assessment area.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES RESOLVE FURTHER AND SHALL, AND HEREBY DOES, PROVISIONALLY ORDER:

Section 1. The improvement district shall be designated "Washoe County, Nevada, Special Assessment District No. 29 (Mt. Rose Sewer Phase 1)" (the "District").

Section 2. The Project shall be acquired at an estimated preliminary total cost of \$1,300,000, including engineering, legal, and incidental expenses as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of said County Clerk and at the office of the Engineer.

Section 3. The District shall constitute one assessment unit for purposes of remonstrance, construction and assessment. The boundaries of the District and such unit shall be as designated in the form of notice set forth in Section 4 of this resolution. The amounts to be assessed shall be made upon all tracts benefitted in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 4 of this resolution.

Section 4. On April 9, 2002 at 5:30 p.m. at the Commissioners' Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada (i.e., a time at least 20 days after the adoption of this resolution), the Board of County Commissioners will consider the ordering of the Project and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing concerning the same by the owners of the property to be assessed or any person interested. The owners of the property to be assessed or any other persons interested therein may file a written protest or objection and may appear before the Board and be heard as to the propriety and advisability of making such improvements as to the estimated cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against the property to be improved. Twenty (20)

days' notice in writing of such time and place shall be given to such property owners, postage prepaid, as first-class mail to each of such property owners at his last-known address, the names and addresses of such property owners to be obtained from the records of the County Assessor or from such other sources as the County Clerk or the Engineer deem reliable. Any such list of names and addresses may be revised from time to time but such list need not be revised more frequently than at twelve-month intervals. If a mobile home park is located on one or more of the tracts to be assessed, the notice must be given to the owner of the tract and each tenant of that mobile home park. Notice shall also be given by posting in three public places at or near the site of the Project at least twenty (20) days prior to said hearing. Proof of such mailing and posting shall be made by the affidavit of the County Clerk or of the Engineer, such proof to be filed with the County Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Reno Gazette-Journal, a daily newspaper published in Reno and of general circulation in Washoe County, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearing. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the County Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of the County Clerk until all the assessments appertaining to the District shall have been paid in full as to principal, interest and any penalties or collection costs. The notice shall be in substantially the form as placed on file with the County Clerk.

Section 5. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this resolution) concerning the Washoe County, Nevada, Special Assessment District No. 29 (Mt. Rose Sewer Phase 1) be, and the same hereby are, ratified, approved and confirmed.

Section 6. The officers of the County are directed to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 9. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

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**THE BOARD CONVENED AS THE
SIERRA FOREST FIRE PROTECTION DISTRICT**

**02-265 UPDATE ON SIERRA FOREST FIRE PROTECTION DISTRICT
ACTIVITIES**

Robert Ruffridge, Nevada Division of Forestry Western Regional Manager, updated the Board concerning Sierra Forest Fire Protection District activities by reporting on the number of incidents to which they have responded, most of which were non-significant vehicle accidents. He further advised they have changed the schedules for the Battalion Chiefs so there is one on duty 24 hours a day, 7 days a week. Concerning Reno's proposed annexation of some Verdi properties, Mr. Ruffridge stated they have put the plans for a new station for that area on hold for now; they are planning to maintain the same level of service in Verdi because there is still considerable wildland area under their responsibility; and they are not anticipating the lost tax revenue, if the annexation goes through, to be significant because overall valuations have gone up. He also advised that they have started paramedic service out of Station 8 in the Galena area 24 hours a day, 7 days a week.

Commissioner Short asked if the District was at full staff concerning paramedics. Mr. Ruffridge stated there is one paramedic working each shift at both Washoe Valley and Galena. They also discussed the mutual aid agreements and Mr. Ruffridge stated he expects those to continue.

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**THE BOARD RECONVENED AS THE
WASHOE COUNTY BOARD OF COMMISSIONERS**

**02-266 APPEARANCE - JUDGE PETER BREEN & THOMAS HARDY -
HISTORICAL COURTROOM RESTORATION**

District Court Judge Peter Breen, President, Courthouse Historical and Preservation Society, introduced Tom Hardy, Architect, and stated the Society is requesting the Board to consider approval of a plan to restore the historical Courtroom No. 1 and to partner with the Society by providing half of the funds needed. Judge Breen stated the anticipated cost is \$155,000 to \$180,000; the Society will raise half the funds through private resources; and they are seeking a grant from the State. He also presented a letter from Mella Harmon of the Historical Resources Commission and one from Ronald James, the State Historic Preservation Officer, both of which expressed approval and support for the project and urged the Commission to do the same.

Mr. Hardy then described the restoration plans and stated most of the work will involve surfaces and finishes rather than being of a structural nature, so there should

not be unforeseen surprises in the project. He further stated this is not intended to be a "velvet rope" restoration, and it is meant to keep the courthouse moving along.

Chairman Sferrazza thanked them for this presentation and disclosed that he and Commissioner Short had previously met with Judge Breen and Coe Swobe of the Historical Society concerning this matter and stated that he hopes the Board will be able to support this project.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that staff be directed to obtain assistance from all possible outside sources to fund the Courtroom Restoration project and return to the Board during the budget process for the 2002/03 fiscal year with a funding and cost-sharing proposal for any remaining funds needed and a timeline for the project.

Commissioner Shaw clarified that the Board is not approving or committing any specific amount at this time and stated he wanted to be sure the Judge understood that.

02-267 APPEARANCE - KAREN WIKANDER - READ WASHOE READ

Karen Wikander, Read Washoe Read, presented an overview of Read Washoe Read, a community reading project, and stated the book they have chosen is *A Lesson Before Dying*, which would be read over a 3-week period. She further stated they are also planning to bring the author to the community. Ms. Wikander reported they have received funding support from the City of Reno and Nevada Bell and are hoping the County will also support this project.

Chairman Sferrazza noted the Library had just done a similar project with *To Kill A Mockingbird*. Commissioner Galloway asked how he would know whether funding this project would be better than just giving the money to the Library and suggested the Library and/or the Library Board of Trustees should consider this request and make a recommendation to the Commission concerning the funding. Commissioner Bond stated she would like to know how much money, what the money will be used for, and what groups or individuals will be targeted.

In response to other Board questions, Ms. Wikander stated the Washoe County School District and the University of Nevada are also participants in this project.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that this item be referred to Nancy Cummings, Library Director, and the Library Board of Trustees for their input and recommendation.

This was the time to consider an appeal by Peter Renzo of the recommended denial by the Washoe County Exotic Animal Advisory Board of his request to keep four Siberian tigers and one black leopard at 600 East Patrician Drive, Lemmon Valley, Nevada. Kevin Karp, attorney representing Mr. Renzo, stated the reason the advisory board recommended denial was not because they felt it was a bad thing, but because Mr. Renzo was not in compliance with various requirements and some required information was not available and was not included in the original application, for which they take full responsibility. Some of those were a letter from the property owner, a letter from the Veterinarian, and a site map. Mr. Karp stated he had copies of those items for the Board now, but they were not placed on file with the Clerk.

Mr. Karp then described the planned location and construction of the home and of the enclosures for the cats on the site map. He stated they have been asked for a timetable for completion, but he believes that is really up to others, such as the Building Department. He then discussed how they would comply with the other conditions recommended by the advisory board.

Madelyn Shipman, Assistant District Attorney, advised that the unlawful use of the mobile home, as well as the structure the cats are being kept in, has to be resolved. Mr. Karp responded that no one is currently living on the property, although Mr. Renzo has a motorhome on the property which he occupies during the day while he is there taking care of the cats, but he goes somewhere else at night to sleep. He further stated the mobile home belongs to the current property owner; and, if he sells the property to Mr. Renzo, they are presuming that would be removed. He also discussed the current property owner's disputes and problems with the Building Department and explained their plans for a home and facilities for the cats in more detail. Ms. Shipman stated a building permit with one extension actually gives a property owner up to three years to build and the concern is how can the County be guaranteed that these structures will be built. She suggested the Board should consider a condition to address that if they approve the permit. Mr. Karp stated they would have no objection to that.

Commissioner Galloway asked if Mr. Renzo intends to operate a business involving the cats. Mr. Karp stated the cats would be a non-profit corporation in the sense of an educational experience. He stated Mr. Renzo is contacted by schools and universities on a fairly regular basis regarding people looking at and learning about these cats, and he wants the veterinary educational community to benefit from this. Commissioner Galloway asked if Mr. Renzo would also need a business license, even though it is non-profit, if he receives money in exchange for allowing people to visit. Mr. Karp responded, at this point, they do not contemplate charging people; and Mr. Renzo has people and foundations waiting to donate funds for him to be able to continue to care for the cats. Commissioner Galloway asked if the foundation will own the property. Mr. Karp advised that the foundation will probably end up being a co-owner in order to provide tax benefits to the people who donate. Commissioner Galloway asked if the foundation has been set up. Mr. Karp stated it has not, as everything hinges on approval of this permit.

Commissioner Bond stated this process appears to be backwards in that Mr. Renzo does not own the property and is seeking this approval in order to purchase the property.

Bob Webb, Interim Director, Department of Community Development, advised that, if these animals are being kept as pets, this exotic animal permit is the only permit the applicant would need; however, if the animals are being used for educational purposes, even on a non-profit basis, either an administrative permit or a special use permit would be needed. Commissioner Galloway asked whether a business license would also be necessary. Mr. Webb stated if they are soliciting or receiving donations, either cash or trade, the applicant would need a business license.

Dorothy Szabo, neighboring resident, expressed her desire that the animals be moved until proper facilities are built for both their safety and the safety of the neighborhood; and she is not sure if anyone is with the cats at night. She stated these cats just sort of got "dumped" here and are being kept in a pump house. Ms. Szabo then answered several questions from Board members concerning the cats, the property, the neighborhood, etc.

Katie Stevens, Animal Control Supervisor, stated her concerns are that there is no perimeter fencing, the property is about six blocks from an elementary school, there was a prior brush fire that went right through this area, and the shed the animals are currently in is smaller than what is required for one animal. Ms. Stevens noted that the applicant's representative stated that Mr. Renzo is not there at night, which is a major concern to her because that would most likely be the time when something might occur, such as vandalism or someone wanting to look at these cats.

Commissioner Bond expressed concern about the adequacy of the facilities currently being used for these animals. Ms. Stevens stated, when Animal Control discovered the animals at this location, Mr. Renzo was immediately advised these cats were not to be kept there until and unless a permit was granted by Washoe County; and subsequent to that Ms. Shipman wrote Mr. Karp a letter outlining everything that needed to be done and requested a written statement from the applicant describing the precautions taken to ensure the animals' inability to escape their temporary enclosure and not become an attractive nuisance. The applicants were requested to submit that by December 31, 2001; and it was again requested at the Exotic Animal Advisory Board meeting on February 19th. Ms. Stevens stated her preference would certainly be that these animals not be kept on this property until the proper enclosures required by Ordinance are available. Commissioner Bond asked if there is any place these animals could be temporarily housed. Ms. Stevens stated there is no place in Washoe County, but Storey County does not have the same regulations.

Ms. Stevens and the Board members discussed whether the animals are safe in this enclosure. Chairman Sferrazza asked if the applicant is in violation of the law. Ms. Stevens stated he is; he has been cited into court; and his trial is this Friday

(March 15, 2002). Chairman Sferrazza stated the Board could order him to remove the animals until the proper facilities are built. Ms. Stevens reported Mr. Renzo has been told to remove the animals several times.

Mr. Renzo explained that he has been working with exotic cats for about 25 years, has raised them from babies, and has never had a cat escape; and that these cats are trained to obey commands just like dogs. He stated his black leopard is allowed in K-Mart and Wal-Mart for taking pictures with children. Mr. Renzo said he is also concerned about the welfare of his animals; he is willing to comply with all the requirements; and he has every intention of building the proper enclosure for his animals. Chairman Sferrazza pointed out that he also has to build a house for himself. Mr. Renzo stated he plans to put in a pre-fabricated home on an existing foundation.

Commissioner Galloway asked Mr. Renzo if he could move the animals off the site until the appropriate facilities are built if the Board approved the permit, as that would definitely be one of the conditions of approval. He also stated he has several more conditions he would want to place on the permit. Mr. Renzo stated he could put a perimeter fence around the cage that he currently has so there would be no way the cats could escape.

In response to Commissioner Galloway, Ms. Stevens stated the Animal Control Officers do not tell people what they can and cannot build, but do advise people that they are not required to spend a lot of money building facilities for their animals until their permit is approved.

Commissioner Bond stated her concern is, if the applicant is allowed to start putting up temporary fencing or temporary shelters, it might end there; and she does not want to see any temporary makeshift activity occurring on this property. She further stated she does not want the cats on the property without someone living on the property. Commissioner Galloway stated once Mr. Renzo has possession of the property, he could live in the trailer while building the permanent home, but he would also want someone to be present with the animals 24 hours a day, 7 days a week.

Commissioner Bond moved that the exotic animal permit be approved subject to the cats being removed from Washoe County immediately, pending construction of Mr. Renzo's residence and the proper enclosure(s) for the animals. She specifically stated that construction of the animal enclosure is not to commence until the house exterior is complete and the Certificate of Occupancy is not to be issued until the permanent enclosure and the house is complete; and that the permit is limited to the cats Mr. Renzo currently has and no more cats will be allowed. Commissioner Bond further stated these conditions are in addition to the ones recommended by the Exotic Animal Advisory Board. Commissioner Shaw seconded the motion, but expressed concern that the people in the area are not really aware of what is happening with this property.

Commissioner Galloway asked if the motion makers would consider the following additional conditions: 1) the permit would be conditional upon issuance of a

special use permit and business license for public viewing and contributions; 2) perimeter fencing would be added; and 3) an attendant would be on site at all times when the animals are present.

Commissioner Bond accepted the additional conditions and stated she would add those to her motion.

Mr. Renzo stated that removal of the cats might mean that the people who were going to help him may not be able to do so; and it would be very traumatic to the animals, since they have already been moved twice. He stated he was willing to comply with anything else the Board asks.

Chairman Sferrazza then called for the vote, and the motion carried on a 3 to 2 vote with Commissioners Sferrazza and Short voting "no." Commissioner Short stated he does not believe this is the right place for this kind of activity. Chairman Sferrazza stated he does not believe the applicant is adequately funded or he would not have violated the County laws. It was therefore ordered that the exotic animal permit for Peter Renzo to keep four Siberian tigers and one black leopard at 600 East Patrician Drive, Lemmon Valley, be granted subject to the following conditions:

1. The animals must be removed from Washoe County until the residence and appropriate facilities are constructed.
2. Permanent transport vehicle(s) must be obtained.
3. A letter of authorization and letter of intent from the property owner must be submitted through Animal Control to the Washoe County Exotic Animal Advisory Board.
4. A copy of each animal's medical history must be submitted through Animal Control to the Exotic Animal Advisory Board.
5. A site plan must be submitted through Animal Control for approval by the Exotic Animal Advisory Board.
6. A disaster preparedness plan must be submitted through Animal Control for approval by the Exotic Animal Advisory Board.
7. Proof of non-profit corporation status must be submitted through Animal Control to the Exotic Animal Advisory Board.
8. A schedule of proposed timeframes must be submitted through Animal Control to the Exotic Animal Advisory Board.
9. Proof of appropriate umbrella insurance must be submitted through Animal Control to the Exotic Animal Advisory Board.

10. A water quality test must be submitted through Animal Control to the Exotic Animal Advisory Board.
11. A construction schedule must be submitted through Animal Control to the Exotic Animal Advisory Board.
12. Applicant will allow inspections to assure current conditions.
13. A waste disposal plan must be submitted to, and approved by, Animal Control and the District Health Department.
14. The animal enclosure construction is not to commence until the residence exterior is complete. A Certificate of Occupancy will not be issued until the house and the permanent enclosure is complete.
15. This exotic animal permit is strictly limited to the four Siberian tigers and one black leopard currently in Mr. Renzo's possession.
16. The applicant must obtain a special use permit and a business license.
17. Perimeter fencing shall be added to the site.
18. Either the applicant or an attendant shall be present on site at all times when the animals are present.
19. A statement must be submitted through Animal Control to the Exotic Animal Advisory Board stipulating the animals will not be removed from the permanent enclosure except in cases of emergency.

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4:46 p.m. - Commissioner Short temporarily left the meeting.

02-269 BILL NO. 1333 -AMENDING WCC CHAPTER 20 - COURT FILING FEES

Bill No. 1333, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY IMPOSING AN ADDITIONAL FILING FEE OF FIVE DOLLARS FOR THE COMMENCEMENT OF ANY CIVIL LEGAL ACTION OR PROCEEDING IN DISTRICT COURT, ANY ACTION FOR WHICH A FEE IS REQUIRED IN JUSTICE COURT, AND FOR THE FILING OF ANY ANSWER OR APPEARANCE IN EITHER COURT FOR ANY ACTION OR PROCEEDING FOR WHICH A FILING FEE IS REQUIRED; IMPOSING AN ADDITIONAL FILING FEE OF TWENTY-FIVE DOLLARS FOR THE FILING OF ANY MOTION OR OTHER PAPER THAT SEEKS TO MODIFY OR ADJUST A FINAL ORDER ISSUED PURSUANT TO NRS CHAPTERS 125, 125B OR 125C AS WELL AS ANY ANSWER OR RESPONSE THERETO EXCEPT FOR MOTIONS FILED SOLELY TO ADJUST CHILD SUPPORT, MOTIONS FILED

FOR RECONSIDERATION OR MOTIONS FOR A NEW TRIAL FILED WITHIN 10 DAYS AFTER A FINAL JUDGMENT OR DECREE HAS BEEN ISSUED; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Bond, the title read to the Board and legal notice for final action of adoption directed.

* * * * *

4:50 p.m. - Commissioner Short returned to the meeting.

02-270 REQUEST THE DEBT MANAGEMENT COMMISSION TO RESERVE 20 PERCENT OF THE AUTHORIZED BUT NOT LEVIED PROPERTY TAX RATE

John Sherman, Finance Director, explained the provisions of Senate Bill 123 passed by the 2001 Legislature, which allows a local government to request that the Debt Management Commission (DMC) reserve a percentage of its authorized but unlevied property tax rate for future use and the duties of the DMC when an entity does so. He stated the County is nearing the \$3.64 property tax cap and reviewed a table in his handout of the combined tax rates showing the total amounts remaining for the Cities of Reno and Sparks. Mr. Sherman also said if the rate was already at \$3.64, there would be no way to handle an emergency situation. In considering a tax rate reservation, the DMC would determine the highest and best use of the unlevied amount; and Mr. Sherman stated he believes some capacity should be reserved to address emergency operating costs relating to public safety, health and education. He then discussed different financial scenarios based on reserving different amounts.

Mr. Sherman further advised that the DMC has the authority to reserve, but is not required to actually do so; and that the DMC has tasked the Finance Directors of all the local entities to develop a process for reserving a part of the tax rate.

Commissioner Galloway stated he believes the County should definitely make a reservation, but he would rather specify an amount instead of a percentage; and he would like to see something in the 5-cents range. He advised that he has talked with District Health Officer Barbara Hunt to ascertain the number of grants the County might be able to obtain to fund emergency preparedness in light of September 11th, and noted other potential needs on the horizon, such as child welfare integration, which the State is only funding for two years.

Commissioner Galloway said he would like to make a motion that the County reserve 5-cents based on the data and testimony presented by Mr. Sherman, and he believes it is needed as protection to deal with such other matters as the lack of control over funding for child protective services, for emergency preparedness measures resulting from September 11th, for jail expansion, and for natural, medical or man-caused disasters.

Katy Singlaub, County Manager, stated another threat on the horizon is some very active proposals that will be coming before the Legislature to redirect growth in assessed value to the State.

Chairman Sferrazza asked whether the State's upcoming ballot question could affect the County's cap rate. Board members also asked questions concerning how much the Cities of Reno and Sparks could increase their rates. Mr. Sherman said he would get that information to the Board.

Mr. Sherman stated there is a process issue and asked that the Board direct staff to request the DMC to adopt the reservation rules and a conflict resolution process prior to consideration of an application for reservation.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Finance Director be directed to apply to and request that the Washoe County Debt Management Commission consider, according to such rules as the DMC shall adopt, the County's request that 5-cents of Washoe County's authorized but not levied property tax operating rate be reserved.

02-271 PUBLIC GUARDIAN - ESTABLISH SEPARATE OFFICE

Discussion was held concerning the proposed salary range for the new Public Guardian position. Howard Reynolds, Assistant County Manager, and Don Cavallo, Public Administrator, expressed concern that the salary range appears low in comparison to other department heads and it might be difficult to recruit qualified individuals. It was noted, however, that the position was ranked by the HayGroup. Katy Singlaub, County Manager, and Joanne Ray, Human Resources Director, explained that if the County is not able to recruit at this salary range, there is an established procedure to take it back to the HayGroup for a market adjustment.

Upon recommendation of Howard Reynolds, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the following actions be taken to establish the Office of Public Guardian as a separate County department:

1. Staff be directed to prepare the necessary ordinances to establish the office of the Public Guardian as a separate department and remove the designation of the Public Administrator as the Public Guardian.
2. Staff be directed that the new ordinance establishing the office of Public Guardian provide for the appointment of the Public Guardian by the Board of County Commissioners upon the recommendation of the County Manager.

3. A new class of Public Guardian to be placed on the Unclassified Management Salary Schedule at pay grade R, \$57,782.40 - \$75,129.60 be established. (A copy of the new class specifications was placed on file with the Clerk.)
4. The vacant Supervisory Guardian Case Manager position be reclassified to the new class of Public Guardian and the class of Supervising Guardian Case Manager be abolished.

02-272 SOLE SOURCE PROCUREMENT PROCEDURES –
PURCHASING DEPARTMENT

Katy Singlaub, County Manager, read a memo from Mike Sullens, Purchasing Department, into the record.

Commissioner Shaw said he is adamantly opposed to any more staff time being spent on this matter.

John Balentine, Purchasing and Contracts Administrator, stated this is the policy staff worked up, and minimal time will be required to handle this.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that when determining whether a potential procurement qualifies as a sole source for consideration before the Board of County Commissioners, departments are required to provide competent and cogent written justification based upon one or more of the circumstances below, as modified by the memo from Mike Sullens dated March 12, 2002 (a copy was placed on file with the Clerk):

If a department believes that a procurement is a sole source they must formally attest to it by completing a sole source justification form, which can be obtained from the County Purchasing Department or web page. If the Purchasing and Contracts Administrator determines that the justification is adequate, he will approve the sole source procurement in writing, and forward his recommendation to the Board of County Commissioners if the procurement exceeds \$25,000.00.

When executing a sole source procurement, departments shall comply with the following procedures:

- * For procurements that are \$10,000 or less, no sole source justification is required. However, the requesting department should otherwise ensure that the source and price are fair and reasonable and represent the best value to the County.
- * For procurements exceeding \$10,000, departments must provide sufficient evidence to the Purchasing and Contracts Administrator that the acquisition qualifies as a sole source and that the indicated price is fair and reasonable. The Purchas-

ing Department, upon examining all documentation provided by the requestor, shall take necessary actions and make prudent inquiries before placing the order. Splitting of procurements to skirt the \$10,000 limitation is specifically prohibited.

- * Where a sole source procurement falls into the dollar value (\$25,000 or greater) that must be approved by the Board of County Commissioners, departments must complete a Sole Source Purchase Request Form and submit to the Purchasing and Contracts Administrator. In addition, departments should be prepared to justify the action before the Board if necessary, and in case of audit, protest, public inquiry, litigation, or similar circumstance. When Purchasing receives a sole source procurement request form in excess of \$25,000 the Thomas Registers and DemandStar website both will be utilized to issue an electronic request for information (ERFI) via email to suppliers of similar products. The ERFI will describe the County's requirements and request that the supplier indicate whether they can provide a comparable product. Prospective suppliers will be given seven days to respond. Any affirmative responses will be investigated as possible additional sources of supply. If no affirmative responses are received, a copy of the ERFI, any confirming negative responses, and a list of supplier contacted will be indicated in the board report as backup materials in support of the sole source purchase request.

- * County employees who knowingly execute or approve a sole source procurement when in fact it is not, may be subject to administrative action including but not limited to, written warning and reprimand, suspension, demotion, and even dismissal as provided for by Washoe County Code.

The Purchasing and Contracts Administrator will ensure that sole source procurements comply with all laws, policies, and procedures governing the acquisition of goods and services at Washoe County and that the pricing for the good or service offered is reasonable. A major component of a sole source procurement is the determination of reasonableness of price. Even though a material, service, or supplier may truly fit the conditions of sole source, departments must be able to demonstrate that the price offered is reasonable.

**02-273 PROPOSED \$60,000,000 CITY OF RENO GENERAL
OBLIGATION (LIMITED TAX) PARK, RECREATIONAL AND
BUILDING BONDS – CITY OF RENO**

Chairman Sferrazza said there has been no list of projects approved by the City of Reno yet.

Katy Singlaub, County Manager, advised the deadline to act upon this proposal is April 1, 2002. She suggested the Board continue this matter to March 26, 2002 for further discussion.

Commissioner Galloway said the Board earlier voted to reserve 5 cents of the tax cap, and once the rest of the Washoe County Parks Bonds is done that will leave only 6 cents. He advised that the Reno proposal is 9.5 cents and requested the Board reject this item. He noted that there are other entities who will be submitting a proposal, such as the Washoe County School District in 2004.

Nancy MacCartney, Director, Reno Parks, Recreation and Community Services, advised that the City of Reno has not yet finalized a list of projects and the \$60 million is a maximum amount. They requested the DMC set in relationship to other agencies what their needs are so that Reno could finalize their list.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that this matter be continued to March 26, 2002.

**02-274 REGIONAL PLAN PROPOSAL – JOINT CONSOLIDATION
LAND USE SUBCOMMITTEE – COMMUNITY DEVELOPMENT**

Eric Young, Planner, Community Development, advised that he just watched the Reno City Council meeting in regards to Councilmember Hascheff's proposal. He said it is not the same proposal before this Board today; it is another proposal drafted by Councilmember Hascheff. The City of Reno decided to discuss the entire issue with the Board at the next joint meeting and did not adopt Councilmember Hascheff's proposal. They adopted the concept, but the details will be worked out at the joint meeting. He suggested the Board review the tape from the Reno City Council meeting regarding this item.

Mr. Young reminded the Board that they adopted a position that the spheres of influence should not expand without an analysis, and that all new spheres of influence should be designated as joint planning areas. He said the Board decided to step away from their proposal in the spirit of good will and compromise to try and reach a middle-ground. The County agrees to some expansion of spheres of influence at this time, provided there is still some sort of joint approval process. He said Regional Planning staff advised that the concept of veto power probably would not work. The County would agree to limit residential development to 3 units per acre; and that is currently what the regional draft plan states. The County's proposal is to limit new commercial zoning to their neighborhood commercial zoning designation. Most of the proposed changes are the direct result of the very substantial public input process the County underwent. In addition to the public input process, there is the consideration of service districts, such as water, and where the County believes future growth should be directed, as well as limited. He discussed the transit corridor. He said during the discussion today by the City of Reno, they decided they want to place St. James Place within their sphere of influence, due to the fact that there are a number of acres of tourist commercial approved for a resort at St. James. The City of Reno is determined to have the resort within their city boundaries.

Commissioner Short said he is concerned that Reno is considering expansion into the STMGID service area, and requested that legal counsel advise whether Reno can annex part of a County GID service area. He noted that the Southeast Truckee Meadows has a modifier with a maximum of 2 houses per acre, except for the specific plan area. Commissioner Short suggested the Board consider the STMGID service area in the regional plan. Madelyn Shipman, Legal Counsel, advised that STMGID is a water provider and there are agreements in place that established the service territories. There is acknowledgement in those documents of the STMGID's territories and its proposed expanded territories, and whether annexation is approved, consideration would have to be given for water service. She said Reno would still have to go to STMGID in order to get water service, and the same thing is true in the TMWA service territory. Right now the agreements setting forth the territories are defined, and the only way they can be changed is by mutual agreement. There is no impediment in the law to annex into STMGID. Ms. Shipman stated that, if in fact the City of Reno were a water provider, which they are not, they would want to assume the provision of that water.

Commissioner Bond said she is very interested in hearing the options discussed by the City of Reno today. She requested that information be made available to the Board prior to the joint meeting, so the County can have a definitive position at that meeting. Mr. Young said the City of Reno considers the County supporting their sphere of influence requests, as a tit-for-tat for allowing the County to have some input on land use within the sphere.

Katy Singlaub, County Manager, said staff would like to have some sort of direction, so they are not in a reactive mode regarding each of these venues. Mr. Young said maybe the Board should not put too much emphasis on the City's action today and just move forward on their proposal.

Chairman Sferrazza stated that he does not feel as strongly about what the City of Reno wants as some members of the Board. STMGID was basically funded by a lot of people who reside in the City. He said he understands the City of Reno's concerns regarding the funds spent by the County to develop the unincorporated area and provide infrastructure at the expense of the people who live in the Cities. He said it is inappropriate to have commercial tourist development in the unincorporated County. He supports protecting the unincorporated area from intensifying development in that area. If an agreement was reached that the County zoning would not be changed and they had veto power over that, that would satisfy his concerns whether it was in the City or County. There are other concerns out there in the unincorporated area, such as citizens think that the City government wastes money, but that is a separate issue. Unincorporated development should be 1 unit per acre, and that is how it should have been. Now the County is in the mode of protecting that development and even encouraging it more so. The City does have some legitimate concerns that need to be addressed and the Board is not responding to the City residents. He said 95 percent of his constituents live in the City and they deserve to be represented by the County on this issue. He said the County is further exacerbating the fiscal equity issue by trying to develop a higher density so suburban residents do not have to pay a higher tax rate. He said he would support anything that

protects the people in unincorporated areas from denser development, but not to promote commercial development.

Commissioner Galloway said he agrees the County needs to stop reacting to the Cities proposals. The County has a good plan, but it needs to be clear that it is a compromise compared to the original position of not increasing spheres until there is a carrying capacity and a needs assessment done for any new territory. A certain amount of commercial is allowable and appropriate for supporting suburban use. He does not believe any future growth should be limited to suburban, and residential development of 3 units per acre. There should be no density transfers off of unbuildable properties. He said the proposal should be noted that it is a compromise based on joint approval, with a better definition of joint approval.

Commissioner Shaw stated that by and large he does agree with the executive summary of staff's proposal. He said he agrees with Commissioner Bond that the County should have a proposal by the joint meeting and stick with their decision.

Gary Schmidt, area resident, expressed his concern about excessive development in rural areas. He said that in the rural County development should be no more than one unit per acre.

On motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that staff's proposal dated March 1, 2002, be supported.

02-275 COMPREHENSIVE PLAN CASE NUMBER CP01-009 (CASTLES, LLC) – COMMUNITY DEVELOPMENT

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider the amendment to Comprehensive Plan Case Number CP01-009 (Castles LLC), from General Rural to General Commercial. Proof was made that due and legal Notice had been given.

Katy Singlaub, County Manager, advised that a request was made to continue this hearing to a future date.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the hearing to consider the amendment to Comprehensive Plan Case Number CP01-009 (Castles LLC) be continued to March 26, 2002.

02-276 **APPEAL – PARCEL MAP REVIEW COMMITTEE DENIAL -
PM01-024 – SPECIALTY ENTERPRISES – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set to consider an appeal continued from February 12, 2002, (BCC Item No. 02-162) to reverse the Washoe County Parcel Map Review Committee’s action to partially approve a parcel map initiated by the applicant, Specialty Enterprises.

Katy Singlaub, County Manager, advised that Charles B. Woodman, the applicant’s attorney, requested this matter be continued to a future date.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that based on a request by the applicant’s attorney, the hearing to consider the appeal to reverse the Washoe County Parcel Map Review Committee’s partial approval of PM01-024 (Specialty Enterprises), be continued to April 9, 2002.

02-277 **BILL NO. 1325 – ORDINANCE NO. 1150 – AMENDING WCC –
RESIDENTIAL CONSTRUCTION TAX ON MOBILE HOMES**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1325. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1150, Bill No. 1325, entitled, “AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROVISIONS RELATING TO THE COLLECTION OF RESIDENTIAL CONSTRUCTION TAX ON MOBILE HOMES,” be approved, adopted and published in accordance with NRS 244.100.

02-278 **BILL NO. 1327 – ORDINANCE NO. 1151 – AMENDING WCC –
DEVELOPMENT CODE AMENDMENT DC01-001 – SOUTHEAST
TRUCKEE MEADOWS AREA PLAN – HIDDEN VALLEY
MODIFIERS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1327. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Leon Mills, Tom Judy and Neil Upchurch, area residents, all spoke in support of the amendment.

There being no one else wishing to speak, Chairman Sferrazza closed the public hearing.

Commissioner Short thanked everyone for all of their hard work on this project.

On motion by Commissioner Short, seconded by Commissioner Galloway, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1151, Bill No. 1327, entitled, “**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 212 – SOUTHEAST TRUCKEE MEADOWS AREA PLAN REGULATIONS INCORPORATING THE HIDDEN VALLEY MODIFIERS, (A MAP IS INCORPORATED INTO THE MODIFIERS) RESTRICTING COMMERCIAL AND INDUSTRIAL USES, ADDING DEVELOPMENT STANDARDS REGARDING GRADING, CUT SLOPE STABILIZATION AND REVEGETATION, BUFFERS, SIDEWALKS, STREET LIGHTING, BUILDING HEIGHT, SETBACKS AND REFLECTIVE BUILDING MATERIALS WITHIN THE AREA DEFINED AS HIDDEN VALLEY, EXEMPTING GENERAL RURAL (GR) LAND USE DESIGNATED PARCELS FROM THE DEVELOPMENT STANDARDS OF THE MODIFIERS, AND OTHER MATTERS PROPERLY RELATING THERETO,**” be approved, adopted and published in accordance with NRS 244.100.

02-279 RESOLUTION – DISPOSING OF PROTESTS – SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE)

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on February 15, 22 and March 1, 2002, to consider testimony in support of or opposition to formation of Special Assessment District No. 31. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak on this matter.

Dave Roundtree, Public Works Director, stated that the purpose of the public hearing is to gather testimony in favor of, or opposition to, the proposed Special Assessment District (SAD). The SAD is intended to improve Running Bear Drive and Spearhead Way in the Golden Valley area. The project will be partially funded by Alturas Mitigation Funds in the amount of \$120,000.

Chairman Sferrazza read statements from Ron Johnson, 9465 Tomahawk, Charles & Susan Lowther, 9494 Spearhead Way, and Stan & Carole Smith, 3435 Running Bear Lane, who are in favor of the project.

Ed Griffith, 9430 Arrowhead Way, said he is very glad to see the project is progressing as it has been a long time coming. He said the Alturas Mitigation Funds make the project affordable, and if it were not for that money the SAD would be too high and the people would not be interested. He said he was on the committee regarding the Alturas Mitigation Funds; he surveyed everyone in the area regarding this project; and, out of approximately 38 property owners, only 5 or 6 opposed the project.

Dr. Shayne Weir, area resident, said that he and his wife own the property at 3420 Running Bear Lane. He said his deed describes the road in front of their home as part of their property. They have given an easement to the County for ingress and egress over that road, but that easement in no way diminishes their ownership. He said he and his wife are opposed to the project because it represents a seizure of private property without compensation. He said he could support the paving of the road if the property were acquired legally, and did not include an assessment against him and his wife.

Mr. Roundtree said that Dr. Weir is correct that the County needs to acquire the right-of-way. In order for the County to pursue the project, it is necessary to get authorization from the property owners. If a particular property owner is reluctant or unwilling to grant the right-of-way to the County, the recourse is to pursue eminent domain and appraise the property and offer just compensation. Staff's opinion is that the property has very little value as it is already an existing roadway, and there are existing access easements over it. If the County had to compensate for the acquisition of the right-of-way the dollar value would be very low.

Chairman Sferrazza asked if this was a recorded map. Mr. Roundtree stated that he believes all of these parcels were created by deed documents, as opposed to a subdivision or a parcel map. The easements for access were granted within the deeds. Mr. Roundtree said, if the Board determined they want to move forward with this project, the next step would be to acquire the right to access the property for public access purposes.

Madelyn Shipman, Legal Counsel, advised that typical easements are for public access and they can run between the property owners that are served by those parcels. Mr. Roundtree stated another thing that suggests these really are public streets, is they are open to the public and have been used by the public for many years.

Commissioner Galloway suggested that staff pursue some course of action to establish the County's right to make this a general public County road easement. Mr. Roundtree stated that the County cannot proceed with the SAD until the right-of-way has been acquired.

Commissioner Shaw asked if SAD costs would go up if the properties have to be purchased. Mr. Roundtree said yes that would be an added cost and the assessments across the Board would be increased.

Ms. Shipman advised of the legal process that the County would have to pursue in order to acquire the right-of-ways. She said the condemnation costs would become part of the SAD costs.

Mr. Griffith discussed the streets that would benefit from the roads being paved. He said if the costs are increased too much, the property owners probably would not be so supportive of the project.

Mr. Roundtree advised that there were 3 letters of protests, including Dr. Weir's, opposing the project.

There being no one else wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution disposing of protests made against Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) be adopted and Chairman Sferrazza be authorized to execute:

RESOLUTION NO. 02-279

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution adopted January 22, 2002 (the "provisional order resolution"), provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) (herein the "District"); and

WHEREAS, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, March 12, 2002, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

WHEREAS, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the total percentage of those owners filing written or oral objections for the entire District amounted to less than one-half of the total lots to be assessed; and

WHEREAS, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing less than 50% of the area to be assessed) is without sufficient merit, and that the same is overruled and finally passed on by said Board except the District is modified as described in Section 2.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that the following are deleted from the District:

(none)

Section 3. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 4. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

- (A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;
- (B) Full and detailed final plans and specifications; and
- (C) A revised (to the extent necessary) map and revised assessment plat.

Section 5. The officers of the County are directed to effectuate the provisions of this resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 7. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 8. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

02-280 BILL NO. 1334 – CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE)

Bill No. 1334 entitled, “AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO,” was introduced by Commissioner Bond, the title read to the Board, and legal notice for final action of adoption directed.

02-281 BILL NO. 1328 – ORDINANCE NO. 1152 – AMENDING WASHOE COUNTY CODE CHAPTER 110, ARTICLE 502 – OFF PREMISE SIGNS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1328. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1152, Bill No. 1328, entitled, “AN ORDINANCE AMENDING PROVISIONS RELATING TO

WASHOE COUNTY CODE CHAPTER 110, ARTICLE 502, OFF PREMISE SIGNS, BY AMENDING THE DEFINITIONS SECTION TO CONFORM TO CHANGES ENACTED BY THE 2001 NEVADA STATE LEGISLATURE, TO ELIMINATE DISCREPANCIES BETWEEN DEFINITIONS OCCURRING IN THE ON-PREMISE SIGN REGULATIONS AND THIS ARTICLE AND TO ADD A DEFINITION OF COMMUNITY DEVELOPMENT DIRECTOR; TO ELIMINATE REFERENCES TO SPECIFIC TYPES OF SIGNS FOR REPAIR AND MAINTENANCE; TO ADD REFERENCES TO THE DEPARTMENT OF BUILDING AND SAFETY; TO ELIMINATE THE REQUIREMENT FOR A SPECIAL USE PERMIT FOR AN OFF-PREMISE SIGN; TO ADD ADDITIONAL AESTHETIC REQUIREMENTS; TO ADD A PROHIBITION OF NEW SIGNS UNTIL ALL NONCONFORMING SIGNS HAVE BEEN REMOVED; TO ELIMINATE SPECIFIED EXEMPT SIGNS; TO ELIMINATE SPECIFIED PROHIBITED SIGNS; TO REQUIRE A PUBLIC HEARING PRIOR TO THE POSSIBLE REMOVAL OF A SIGN BECAUSE OF DEVELOPMENT; TO ELIMINATE THE APPEALS PROCEDURE; TO ADD SPECIFIC TIME PERIODS FOR THE ISSUANCE OF A BUILDING PERMIT FOR AN OFF-PREMISE SIGN; TO ELIMINATE REFERENCES TO INFORMATION THAT IN THE OPINION OF THE PERMITTING AUTHORITY CAN BE REQUIRED; TO ELIMINATE PROVISIONS REGARDING LIMITATION ON SIGNS AND FEE REQUIREMENTS; TO ADD A PROVISION PERMITTING THE SUBSTITUTION OF NONCOMMERCIAL MESSAGES FOR COMMERCIAL MESSAGES, AND OTHER MATTERS PROPERLY RELATING THERETO,” be approved, adopted and published in accordance with NRS 244.100.

02-282 **BILL NO. 1329 – ORDINANCE NO. 1153 – AMENDING WASHOE COUNTY CODE CHAPTER 60 – ABATEMENT PROCESS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1329. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1153, Bill No. 1329, entitled, “**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY FURTHER DEFINING THE ABATEMENT PROCESS IN CHAPTER 60,**” be approved, adopted and published in accordance with NRS 244.100.

02-283 **BILL NO. 1330 – ORDINANCE NO. 1154 – AMENDING WASHOE COUNTY CODE – AUTHORIZING THE PURCHASING AND CONTRACTS ADMINISTRATOR TO EXECUTE CERTAIN FOSTER CARE AGREEMENTS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1330. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1154, Bill No. 1330, entitled, “**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AUTHORIZING THE PURCHASING AND CONTRACTS ADMINISTRATOR TO EXECUTE NON-EXCLUSIVE FOSTER CARE AGREEMENTS UNDER CERTAIN CONDITIONS, AND OTHER MATTERS RELATING THERETO,**” be approved, adopted and published in accordance with NRS 244.100.

02-284 **BILL NO. 1331 – ORDINANCE NO. 1155 – AMENDING WASHOE COUNTY CODE CHAPTER 110, ARTICLE 814 - DEVELOPMENT AGREEMENT AND ARTICLE 816, SPECIFIC PLANS**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1331. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1155, Bill No. 1331, entitled, “**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 814, DEVELOPMENT AGREEMENT AND ARTICLE 816, SPECIFIC PLANS, BY DELETING A SUBSTANTIAL NUMBER OF DEVELOPMENT REQUIREMENTS FROM ARTICLE 814 AND PLACING THEM IN ARTICLE 816, AND OTHER MATTERS PROPERLY RELATING THERETO,**” be approved, adopted and published in accordance with NRS 244.100.

02-285 **BILL NO. 1332 – ORDINANCE NO. 1156 – AMENDING WASHOE COUNTY CODE CHAPTER 110 – VARIOUS ARTICLES**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider second reading and adoption of Bill No. 1332. Proof was made that due and legal Notice had been given.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak for or against the adoption of said Ordinance.

Gary Schmidt, area resident, said he has been in a situation where there is a serious matter before the Commission that requires a majority vote and a full Commis-

sion is not present. He requested that a statement be built into the ordinances that says if a full Commission is not present, a continuance would be automatic if requested by the applicant. Madelyn Shipman, Legal Counsel, said she believes that language already exists.

Mike Harper, Planning Manager, Community Development, stated the language is already included and this is necessitated by a change in State law.

There being no one else wishing to speak on this matter, Chairman Sferazza closed the public hearing.

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferazza ordered that Ordinance No. 1156, Bill No. 1332, entitled, **“AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, BY AMENDING ARTICLE 304, USE CLASSIFICATION SYSTEM, BY AMENDING THE DEFINITIONS OF RESIDENTIAL GROUP HOME AND GROUP CARE; ARTICLE 606, PARCEL MAPS, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PARCEL MAP REVIEW COMMITTEE, AMENDING THE TIME PERIOD FOR SUBMITTING A FINAL MAP, BY SPECIFYING TO WHOM AN APPEAL SHALL BE FILED, WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION’S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY AMENDING THE PERIOD OF TIME FOR RECORDATION OR EXPIRATION OF THE MAP IF AN APPEAL IS FILED, BY SPECIFYING WHEN A REQUEST FOR WAIVER TO FILE A PARCEL MAP MUST BE ACTED UPON; ARTICLE 608, TENTATIVE SUBDIVISION MAP, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PLANNING COMMISSION, BY SPECIFYING THAT AN ACTION ON A TENTATIVE MAP BY THE PLANNING COMMISSION MUST BE BY A MAJORITY OF THE FULL COMMISSION, BY SPECIFYING THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION’S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED; ARTICLE 610, FINAL SUBDIVISION MAPS, BY SPECIFYING THE DATE OF FILING A FINAL MAP FOR RECORDATION, BY SPECIFYING WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION’S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, BY SPECIFYING THE TIME PERIOD FOR SUBMITTING A FINAL MAP, BY AMENDING THE TIME FRAME FOR APPROVING A FINAL MAP BY THE DIRECTOR OF COMMUNITY DEVELOPMENT, BY SPECIFYING THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION;**

ARTICLE 804, VARIANCES, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY SPECIFYING WHEN AN APPEAL HEARING SHALL BE SCHEDULED, THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENT OR STREETS, BY INCLUDING A GOVERNMENT PATENT EASEMENT AS BEING QUALIFIED FOR THE PROCESSES ENUMERATED IN THIS ARTICLE, BY SPECIFYING THAT AN ABANDONMENT OR VACATION MUST NOT RESULT IN MATERIAL INJURY TO THE PUBLIC, BY STATING THAT AN ACTION BY THE COUNTY ONLY ADDRESSES ITS INTEREST IN THE EASEMENT OR STREET BEING ABANDONED OR VACATED, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW; ARTICLE 810, SPECIAL USE PERMITS, BY AMENDING THE TIME PERIOD FOR ACTION REQUIRED BY THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT, BY PERMITTING THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT TO VARY DEVELOPMENT STANDARDS AS PART OF THE REVIEW OF A SPECIAL USE PERMIT, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY SPECIFYING THE TIME FRAME FOR ACTION BY THE BOARD OF COUNTY COMMISSIONERS ON AN APPEAL, THAT AN ACTION ON AN APPEAL BY THE BOARD OF COUNTY COMMISSIONERS MUST BE BY A MAJORITY OF THE FULL COMMISSION, THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 818, AMENDMENT OF DEVELOPMENT CODE, BY AMENDING THE TIME PERIOD FOR A REPORT TO THE BOARD OF COUNTY COMMISSIONERS ON THE PLANNING COMMISSION'S RECOMMENDATION, BY AMENDING THE TIME PERIOD FOR A HEARING BY THE BOARD OF COUNTY COMMISSIONERS, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; BY ADDING A PROVISION THAT A MORATORIUM TAKES EFFECT AFTER APPROVAL OF A RESOLUTION TO DECLARE A MORATORIUM; BY AMENDING THE TIME PERIOD FOR HOLDING A PUBLIC HEARING ON THE DECLARATION OF A MORATORIUM, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; ARTICLE 820, AMENDMENT OF COMPREHENSIVE PLAN, BY SPECIFYING HOW OFTEN THE COMPREHENSIVE PLAN CAN BE AMENDED, BY AMENDING THE AREA FOR NOTICING, BY SPECIFYING THAT A MINIMUM OF 30 SEPARATE PROPERTY OWNERS MUST BE NOTIFIED, BY AMENDING THE TIME PERIOD FOR A HEARING BY THE BOARD OF COUNTY COMMISSIONERS, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES; BY ADDING A PROVISION THAT A MORATORIUM TAKES EFFECT AFTER APPROVAL OF A RESOLUTION TO DECLARE A MORATORIUM; BY AMENDING THE TIME PERIOD FOR HOLDING A PUBLIC HEARING ON THE DECLARATION OF A MORATORIUM, BY SPECIFYING THAT THE COMMISSION'S DECISION IS FINAL FOR JUDICIAL REVIEW PURPOSES, BY PERMITTING THE CERTIFICATION OF LAND USE MAPS BY ELECTRONIC MEANS; ARTICLE 902, DEFINITIONS, BY ADDING A DEFINITION OF GOVERNMENT PATENT EASEMENT; ARTICLE 912, ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS, BY INCREASING THE MEETING COMPENSATION AND THE MONTHLY LIMIT FOR COMPENSATION

FOR THE PLANNING COMMISSION AND THE BOARD OF ADJUSTMENT; ARTICLE 914, ESTABLISHMENT OF DEPARTMENT, BY ADDING A PROVISION PERMITTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO INTERPRET THE PROVISIONS OF THIS CHAPTER, BY MAKING THE APPOINTMENT OF A ZONING ADMINISTRATOR DISCRETIONARY, BY DELETING THE BUILDING AND SAFETY DEPARTMENT AS A DIVISION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, BY SPECIFYING THE PROCESS FOR APPEALING THE DIRECTOR'S INTERPRETATION; AND OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

**02-286 COMPREHENSIVE PLAN AMENDMENT CASE NO. CP02-001
(ST. MARY'S HEALTH NETWORK/ST. MARY'S GALENA
CENTER OUTPATIENT HOSPITAL) – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on March 1, 2002, to consider on its merits the redesignation of St. Mary's Health Network facility as mandated within Section 110.106.10, Transition Process. The modification would amend the Southwest Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment would re-designate Assessor's Parcel Numbers 144-070-11 and 12 from the land use category of Medium Density Suburban (MDS) to Neighborhood/Office Commercial (NC). The development is the Outpatient Hospital component of a mixed use project approved under Site Review Case No. SR7-17-97, totaling a 81,765 square foot outpatient hospital with attached 20,000 square foot medical office building. The commercial shopping center component is not a part of this request. The parcels considered for the land use change total 10.52+/- acres and are located south of Mt. Rose Highway and west of the proposed extension of Wedge Parkway, adjacent to the previously approved University of Nevada, Reno, Redfield Campus. The parcels are found within the Truckee Meadows Hydrographic Basin, in Section 29, T18N, R20E, MDB&M, Washoe County, Nevada.

Administrative changes to the area plan are necessary to reflect the changes requested within this consideration, including a revised table of land use, text and maps of the plan. The parcels considered for the land use change are designated as "Suburban" on the Truckee Meadows Regional Plan land use diagram. Truckee Meadows Regional Plan, Section IV: Goals and Policies 32g and 32i deem an action taken on a Transition Process being in conformance with NRS 278.0284 the Regional Plan. Proof was made that due and legal Notice had been given.

Sharon Kvas, Planning Manager, Community Development, provided background information and responded to questions.

Chairman Sferrazza asked what would happen if this was not approved. Ms. Kvas said it would remain a legal, non-conforming use.

Chairman Sferrazza asked if the amendment would allow them to expand the size later on. Ms. Kvas said they have a site review that allows additional medical offices at a future date.

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak. There being no one wishing to speak on this matter, Chairman Sferrazza closed the public hearing.

Chairman Sferrazza said he will not support the recommendation because of his earlier statements regarding commercial development.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried with Chairman Sferrazza voting “no,” it was ordered that Comprehensive Plan Amendment Case No. CP02-001 be approved based on the following findings:

1. The proposed amendment to the Southwest Truckee Meadows Area Plan is in substantial compliance with the Transition Process.
2. The Transition Process was established to provide an opportunity of those landowners whose property was “down-zoned” to utilize the zoning on the property prior to 1993.
3. The Transition Process is recognized within the Truckee Meadows Regional Plan 32g and 32i.
4. The proposed amendment to the Southwest Truckee Meadows Area Plan will provide for land uses compatible with existing development and will not adversely impact the public health, safety or welfare.
5. The proposed amendment to the Southwest Truckee Meadows Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the *Washoe County Comprehensive Plan*.
6. The proposed amendment to the Southwest Truckee Meadows Area Plan is the first amendment to the Plan in 2002, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
7. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment to the Southwest Truckee Meadows Area Plan, and the related changes to the text and maps of the plan, was properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

8. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
9. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning Commission and the Washoe County Commission, and information received during the County Commission public hearing.

02-287 STATUS REPORT ON JOINT CONSOLIDATION
SUBCOMMITTEES

Katy Singlaub, County Manager, updated the Board on the Consolidation Subcommittees. She advised that the Finance and Taxation Subcommittee said they did not want to meet until after the joint meeting scheduled for March 19, 2002. All three Subcommittees received similar presentations of the various models for possible consolidation including Chairman Sferrazza's proposal.

Chairman Sferrazza said he has received considerable objection to his proposal from the area outside the City of Reno. He said staff from all of the entities felt they did not have the time to devote to the Finance Subcommittee because they are very busy working on the budgets.

Commissioner Galloway said there have been a lot of questions raised because of the Verdi annexation and the court conflict currently going on. He expressed concern about financial issues regarding consolidation. He said he believes the City of Reno is going to have financial troubles. An option for him, rather than spreading debt and financial troubles to people who have nothing to do with it at this point, would be to let Reno resolve annexation and financial issues prior to any consolidation.

Commissioner Bond said there is an underlying assumption by the citizens that consolidation means the City of Reno takes everything. She has spent numerous hours explaining consolidation, what is proposed and what it means.

Mrs. Singlaub reminded the Board that they did adopt a list of services that could be consolidated.

Commissioner Galloway said, if they choose to go with consolidated services, that could be discussed at the joint meeting and start fresh from there.

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There being no further business to come before the Board, the meeting adjourned at 7:55 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Sharon Gotchy and Jeraldine Magee
Deputy County Clerks*